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UNCLAS PRAGUE 000827

SIPDIS

STATE FOR EUR/NCE, EB/OIA, L AND WHA/CAN
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SUBJECT: DEMARCHE ON ANDREW WEISS CASE DELIVERED, MFA
REQUESTS RESPONSE TO LAST PROPOSAL ON BILATERAL INVESTMENT
TREATY

REF: STATE 92894

1. On May 26 we delivered the points transmitted reftel, regarding the case of Andrew Weiss, to the Ministry of Foreign Affairs. Present at the meeting were Jan Maisler of the MFA's Americas Department, Milan Kuchta, head of the non-European Countries office of the Department of Bilateral Economic Relations and Petr Matousek, of the International Law Department. The three officials agreed that the MFA has little influence over the course of the dispute, and suggested contacting the Ministries of Finance or Justice regarding the issues raised. We will make arrangements for meetings with appropriate officials in those ministries.

2. Kuchta reminded us that the Czech Embassy in Washington delivered a revised proposal for amending the Bilateral Investment Treaty (BIT) to the Department in March. No response from the U.S. side has as yet been received, and the Ministry of Finance would like to receive one. Kuchta said that the Ministry of Finance is interested in meeting with the U.S. side sometime this fall to continue discussions. In June or July it will propose some dates. Matousek added that the Czech Republic is discussing the Czech-Canadian BIT with the Government of Canada. He said that, similarly to the U.S. BIT, there are issues of inconsistency with EU law (that in the U.S. case were addressed by last year's U.S.-EU negotiations) and bilateral issues of indirect investment and arbitration rules that the Czech Republic wants to resolve.

HILLAS